THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 12930 of 2006

Dated: 14-12-2006

Between:

P.Kesavardhan and two others.

..... PETITIONERS

AND

Commissioner,
A.P. Prohibition and Excise,
Hyderabad and 4 others.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 12930 of 2006

O R D E R:

This writ petition is filed seeking a declaration that the 5th respondent is not entitled to locate the retail shop for sale of liquor in the premises bearing Dr.No. 10-1-88/A and B situated in Ward No. 18 in L.B.Nagar Municipality.

The petitioners claim to be the residents of Vardhan Complex bearing Dr.No.10-1-88/A and B. Admittedly, the 5th respondent is granted a licence under the provisions of the Andhra Pradesh Excise (Lease of Right of Selling by Shop and Conditions of Licence) Rules, 2005 (for short 'the Rules') in respect of a shop situated in Ward No.15 of old Saroornagar, Ranga Reddy District. The petitioners alleged that pursuant to the said licence, the 5th respondent has selected a premises in Vardhan Complex, which is actually situated in Ward No.18 of L.B.Nagar Municipality and therefore, the 5th respondent cannot be allowed to locate the licenced premises in the said complex.

On behalf of the respondents, the Prohibition and Excise Superintendent, Saroornagar, Ranga Reddy District filed a counter stating that the Station House Officer, Saroornagar after due enquiry submitted a report to the Commissioner, L.B.Nagar Municipality and in turn the commissioner by letter dated
21-06-2006 forwarded the same to the first respondent stating that the house bearing No.10-1-88/C comes under Ward No.15 of L.B.Nagar Municipality. On the basis of the said report the
5th respondent was granted A-4 licence, which is in accordance with

the provisions of the Rules.

From the said counter affidavit, it is clear that the premises wherein the 5th respondent has located her shop is situated in Ward No.15, but not Ward No.18 as alleged by the petitioners. No affidavit in reply has been filed by the petitioners and no other material is placed before this Court contradicting the version of the respondents.

Accordingly, the writ petition, which is devoid of any merit, is hereby dismissed. No costs.

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G. ROHINI, J

Dated: 14-12-2006
KLP